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A MEMORIAL

TO THE

CONGRESS OF THE UNITED STATES,

ON BEHALF OF THE

SUFFERERS FROM THE BOMBARDMENT AND DESTRUCTION OF GREYTOWN, OR SAN JUAN DEL NORTE, BY THE U. S. SLOOP-OF-WAR CYANE, ON THE 13TH JULY, A.D. 1854;

AND

NARRATIVE OF EVENTS WHICH TRANSPIRED AT THAT PLACE BETWEEN THE YEARS 1852 AND 1854.

BY

S. S. WOOD, COMMISSIONER, AND
W. P. KIRKLAND, SOLICITOR.

WASHINGTON, D. C., JANUARY, 1859.

NEW-YORK:
JOHN A. GRAY, PRINTER & STEREOTYPER, 16 & 18 JACOB ST.,
FIRE-PROOF BUILDINGS.
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PREFACE AND CERTIFICATE.

The following pages contain a succinct and correct account of every important occurrence which transpired at Greytown, or San Juan del Norte, between the year 1852 and the 13th of July, 1854, and which were made the basis of certain charges against the local government and inhabitants of that place, and resulted in its bombardment and complete destruction by Commodore Hollins, of the United States sloop-of-war Cyane, on the last-mentioned date.

The undersigned Commissioner and Solicitor on behalf of the sufferers from that disaster, were residents of Greytown and its vicinity within said dates, and are not only conversant with the facts presented, but personally acquainted with, and place implicit confidence in, the parties who have certified to them. And we certify in the most solemn manner to the correctness thereof.

S. S. Wood, Commissioner.
W. P. Kirkland, Solicitor.

Note.—The original and certified copies of documents, as well as evidence of the existence of the conspiracy referred to in the following narrative, are in the possession of, and can be seen by applying to, the undersigned in the city of Washington.

S. S. W.
W. P. K.

January, 1859.

A MEMORIAL

TO THE

CONGRESS OF THE UNITED STATES.

To the Honorable the Members of Congress of the United States of America.

GENTLEMEN: We, the undersigned Commissioners, appointed by and on behalf of the residents and non-residents of Greytown, or San Juan del Norte, who suffered losses and damages by the destruction by bombardment and fire of the said city by the United States naval forces, under the command of Commander George N. Hollins, of the United States sloop-of-war, Cyane, on the thirteenth day of July, A.D. 1854;

Would respectfully represent unto your honorable body, that on the thirteenth day of July, in the year one thousand eight hundred and fifty-four, the United States sloop-of-war Cyane, commanded by Commander George N. Hollins, bombarded, and afterwards deliberately set fire by torches to the entire destructible property of the said city of Greytown, or San Juan del Norte, thereby causing great loss of property, as well as sickness, disease, and loss of life, occasioned by the exposure necessarily attendant upon the total destruction of the habitable buildings, whereby hundreds of women and children were exposed at the most sickly season of the year. We, the undersigned, would most respectfully represent that said bombardment and subsequent burning of this city was a great wrong, and totally at variance with the facts of the case. And we would also represent and prove that the citizens of this place had committed no wrong either upon the property or persons of any citizen of the United States.

We would therefore respectfully ask that your honorable body would appoint a Committee to examine into this matter, and we would respectfully ask that the official communications of Commodore Parker, Captain Pendegrast, Captain Green of the Decatur, Captain Pratt, Captain Geary of the Albany, and H. L. Stevenson, Esq., late Vice Commercial Agent for the United States, should be called for and examined—all of said officers having been at this place officially at different times during the years 1851, 1852, 1853, and 1854. And we would also ask that all the official documents in regard to this place now in the archives of the government of the United States, should be fully examined; and we are confident that upon such examination we shall be most fully able to prove that the citizens of Greytown, or San Juan del Norte, have been wholly innocent of any of the charges made against them by Mr. Borland, Commander Hollins, Mr. Fabens, or the Transit Company, by their agents, Joseph L. White or Joseph N. Scott.

And we would respectfully ask that an appropriation sufficient to pay the losses and damages should be awarded to the unfortunate sufferers.

The undersigned would therefore place the wrongs of themselves and fellow-sufferers before your honorable body, hoping that you will take into consideration their unfortunate condition, and render them prompt justice and speedy relief.

Your memorialists beg leave to sign themselves

Your obedient servants,

FELIX MANCHO, M. CORDEVIOLA,
JOHN LEEFE, AUG. KNIPPING,
SAMUEL SHEPHERD, JUAN MESNIER,
SAMUEL S. WOOD.

Greytown, or San Juan del Norte, Oct. 27, 1858

NARRATIVE.

About the latter part of July, A.D. 1854, the citizens of the United States were startled at the intelligence that the defenseless town of Greytown, or San Juan del Norte, a community composed principally of American citizens, who had located there for commercial purposes and other legal traffic, had been bombarded and destroyed by *lighted torch* at the hands of Commander Hollins of the United Sates sloop-of-war Cyane.

At the time of the occurrence the inhabitants of Greytown suspected the parties and their object who had influenced the United States Government to destroy them; and they are now in possession of evidence that there then existed a *secret interest*, which had conspired to deceive the government at Washington.

We will narrate the history of the town, and faithfully record occurrences as they took place.

Upon the opening of the gold mines of California, the port of Greytown, or San Juan del Norte, until then almost unknown, became a place of considerable importance; and it has since been, and is still, a source of perplexity to and a bone of contention between the governments of England and the United States, the former having acquired possession and influence by virtue of its Mosquito protectorate, and the latter being *directly* interested by virtue of a charter, granted by the Republic of Nicaragua to an association of her citizens for the construction of an inter-oceanic canal through the territory of Nicaragua and the waters of the San Juan river and Lake Nicaragua.

It was quite natural that citizens from the United States should have been imbued with the same ideas and sentiments as were avowed by that Government, namely, that the port of San Juan

legitimately belonged to the State of Nicaragua, and ought, in justice, to return to her. This sentiment was sharpened in the minds of the American citizens and other residents, in consequence of the almost impossibility of their purchasing eligible building-sites, these having been either sold to or held in trust for non-residents, who, with few exceptions, would neither build upon nor sell them, but exacted enormous ground-rents for the privilege of building in a place barren of business, except such as accrued from an American travel, incidental to an American enterprise and investment, in changing an unproductive thoroughfare into a channel of money-making. Nor was the administration of the Government any more acceptable to them than was the tenure by which the lands were held.

The government of the United States having become an arbiter in the question of sovereignty, the American with the other foreign and native residents, espoused her views, and therefore considered Nicaragua competent to grant their wishes. For this purpose a public meeting was called, and attended by almost every male resident of the place, when resolutions were adopted and a delegation of fifteen residents appointed to proceed to Managua, with a view of obtaining from the Government of Nicaragua certain municipal privileges for the government of the port. Before, however, the delegates could obtain conveyance to the capital, Captain Green, of the United States corvette Decatur, received from the Hon. Daniel Webster, then Secretary of State, a dispatch (see Document A, also original Dispatch in State Department) warning the citizens from the United States of their position in a *foreign country*, and *discountenancing* their efforts in attempting to change the *flag*, and *commanding* their obedience to the then Mosquito authorities. At this stage of affairs, Dr. James Green, Her British Majesty's Consul-General for Mosquito, by public notice, (see Document B,) called the inhabitants together; and in his address to the meeting surrendered to them the *local* government of the port; and a committee was appointed to frame a constitution for the future government of the place.

About the twenty-ninth of March, 1852, Messrs. W. B. Gerring, W. P. Kirkland, Joseph Perez, Nicholas Bolvin, W. H. De Forrest, R. W. Mackay, Leon Mancho, Juan Mesnier, and M. B. Jarownicki, delegates appointed at a previous meeting to draft a constitution, reported the following, (see Document C,) which was unanimously adopted; and an election of officers was held under its provisions; and of the ten elected officers, who served that year, eight were Americans, one Englishman, and one Scotsman.

The new government went into operation without any reference to the question of sovereignty, or in any way connected with the flag.

A few days after the new government entered upon its duties, a copy of the new constitution was received from the British Consul, with marginal notes, requiring the City Council so to amend that instrument as to acknowledge Mosquito sovereignty. To this the Council replied that they had neither the power nor the will to make the alteration—that the constitution had been ratified by the people, was their property and the fundamental law of the place, and could only be amended according to the mode therein provided.

Shortly after this, Admiral McQuade of the British Navy, arrived in the harbor and paid an official visit to the City Council, and stated that he had been ordered there by his government for the purpose of conferring with Commodore Parker of the United States Navy, with reference to the future government of the port; but as the Commodore had not met him, and he found a new government installed, he was desirous of knowing by what means it had come into power. To which the following resolution gave reply:

"Extra Session, June 6, 1852. Be it ordained by the Common Council in Session, that we, deeming it necessary, under the present unsettled state of the Territorial jurisdiction, to define the position of the present local government, and to satisfy all whom it may concern, do hereby acknowledge that we exercise authority as the government of this city, by virtue of the public voice of the citizens of this city, as given at a public meeting of the citizens, called for that purpose, at which meeting the constitution under which we act was passed, and the present government elected: all of which was done with the consent and sanction of Her Britannic Majesty's Consul at this port. And that we maintain a neutral position so far as regards the negotiations now in progress between Great Britain and the United States in relation to this city and territory. *Unanimously adopted.*"

The above resolution satisfied his inquiry; but he desired a recognition of Mosquito sovereignty. As the Government, however, would neither deny nor affirm the right of any of the claimants to sovereignty, he expressed himself well satisfied with the new government, and made a formal recognition of it.

The new government concluded to discharge its trust with implicit neutrality, even to the adoption of both the English and Spanish name, (Greytown, or San Juan del Norte,) and also as to sovereignty and territorial jurisdiction, so much so, that Mr. Molina, Envoy Extraordinary and Minister Plenipotentiary of Costa Rica to the govern-

ment at Washington, expressed to Mr. Crampton, then English minister to the same government, a willingness to surrender on the part of Costa Rica, her claim of jurisdiction over the north bank of the harbor and river of San Juan to its confluence with the Colorado to the local government of Greytown, which proposition was acquiesced in by Mr. Crampton; but as some of the parties to the treaty failed to ratify it, the matter remained in *statu quo.*

The new government was harmonious and all its acts acceptable to all persons interested in the commerce of the port, except the proprietors and agents of the Accessory Transit Company, who claimed an exemption from the usual port dues, by virtue of a charter derived from Nicaragua. But as Captain Pratt of the United States sloop-of-war Albany, and Captain Green of the United States corvette Decatur, considered the charter inoperative as regarded the matter and port of Greytown, inasmuch as the port was under a foreign jurisdiction at the time the charter was granted, and consequently all Nicaraguan jurisdiction suspended—that the exemption claimed was inoperative, and would remain so until the question of sovereignty should terminate favorable to Nicaragua. Besides, as the Hon. Secretary of State had counselled American citizens in Greytown to obey the local Mosquito authority, they could not see that the company who occupied lands, obtained from the same government, had any claim of exemption of obedience to the same authority, and they therefore compelled the captains of the Company's steamers to pay the *eleven* dollars port dues.

Nothing of importance occurred until January of the ensuing year, when several cases of small-pox occurred among the passengers on board the Company's steamers, who, in consequence of the refusal of the commanders of the Company's ocean steamers to receive them on board, and their ejection from the Company's premises by its Agent, were thrown upon the charity of the town, it was decided that a quarantine Hospital Lighthouse and Powder Magazine should be erected on the opposite bank of the harbor. In the month of February, same year, the Company were notified that the lands they occupied would be required for the above purpose. Not attending to said notice, they were duly cited to appear before the Mayor, and show cause why they should not vacate and remove from said lands.

Upon the day of trial, Mr. Baldwin, the resident Agent of the Company, appeared, and expressed a desire to comply with the wishes of the government, not denying its right to the property, yet stated that his instructions were, not to recognize the local government, and

therefore he could not vacate the land in question. The Court decided against the Company, and notified that in case the Hotel Building, erected beyond the limits assigned for their Coal Dépôt, was not removed within ten days, and all their sheds, etc., within twenty days thereafter, they would be removed by the Mayor's forces. The Agent refusing to comply, within the prescribed time, the first-named building was removed, in a quiet and orderly manner, by the City Marshal, and every parcel laid away in the manner and place required by the Agent—the owner of the building being absent. Before, however, the expiration of the time for the removal of the other sheds, etc., the United States sloop-of-war Cyane came into port, and by her interference, prevented the authorities from carrying the mandates of the Court into effect.

In consequence of this interference on the part of the United States forces, and the non-recognition of the new government, although acknowledged by Great Britain, and the other claimants of sovereignty, as well as by the United States Government, in appointing Mr. W. F. Boon Commercial Agent at Greytown, and accrediting Mr. H. L. Stevenson to the same office, the authorities resigned, and Commander Hollins virtually assumed all authority, and issued a proclamation accordingly.

At the expiration of a few days, at the solicitation of the British Consul, and with the consent and approval of Commander Hollins, the resigning officers of the government resumed office, with the express understanding, (as will fully appear by reference to Commander Hollins' letter to the Mayor, marked D,) "that the jurisdiction of Greytown, or San Juan del Norte, as far as regards the preservation of peace and order, and the punishment of aggression, was fully acknowledged by the governments of Great Britain and the United States, in the persons of James Green, Esq., and Commander Hollins." The inhabitants being thus informed that no dispute, as to authority, should exist, except as regarded sovereignty, felt gratified, in at last having, as they supposed, their government unmistakably recognized by the Great Republic.

About this time the Company appointed Captain Abraham Banker, the resident Agent at Greytown, with whom both the government and inhabitants remained on the best of terms. This harmony was, however, broken by the appointments of Joseph N. Scott to the Company's Agency, and of J. W. Fabens to the Commercial Agency, by the United States Government, in room of Mr. Stevenson. Previous to these last appointments, the United States Commercial Agent had frequently called upon the authorities to assist him in the

discharge of his official duties, and like services were also rendered to the commanders of the Company's ocean steamers. Besides, the Agent of the Company frequently applied to the Courts, to urge fulfillment of contracts by parties with whom they had contracted for work, etc., while several of their employés exercised the elective franchise.

The new Agent, Joseph N. Scott, by his hostility to, and total disregard of the authorities, as also by blocking up the channel of the river, to the detriment of the harbor, and the owners of water-lots, soon produced a crisis.

Not long after, an occurrence took place, which soon assumed a serious aspect. A colored man, named McGrath, in the employ of the Company, was discharged by Mr. Scott. He applied to, and obtained from, an overseer or manager of Mr. Scott's, the loan of a boat to remove his family and effects to town, without Mr. Scott's knowledge or consent. Mr. Scott observed McGrath leaving the shore, and hailed him to return, but he continued his course, when Mr. Scott ordered an employe of the Company, named Sloman, to pursue and bring McGrath back, but was unable to overtake him until he had landed in the town. Some words passed between Sloman and a man named Reed, and the latter was knocked down by Sloman, who also attempted to strike McGrath, but was prevented by the bystanders. On the sixth of May, a warrant was issued for the arrest of Sloman, but the Marshal, in enforcing it, was resisted by Mr. Scott, and compelled to retire. Being reïnforced, he returned, and succeeded in arresting Sloman, and conveyed him to court, where he was soon followed by Scott, and bailed out by J. W. Fabens. Mr. Scott was also arrested for resisting the Marshal in the discharge of his duty. Upon Mr. Scott's release, he made a lengthy protest (see Doc. E) before J. W. Fabens, a copy of which was filed with the Mayor.

The borrowing of the yawl-boat, with the arrest of Scott and Sloman, constituted a claim for damages, amounting to sixteen thousand dollars, and the removal of Captain McCerren's hotel, erected on government land, and valued by its previous owner, Captain Banker, at seven hundred dollars, was valued at eight thousand dollars, making a total of $24,000, demanded by J. W. Fabens, (See Doc. F,) the non-payment of which sum resulted in the bombardment, and subsequent destruction of Greytown, and entailed an amount of suffering too horrible to relate.

Shortly after the above occurrences, Captain Smith, in command of the Company's steamer "Ruth," for *little or no* provocation, de-

liberately murdered, within the jurisdiction of the town, a native Nicaraguan, named Antonio Paladino, commander of a bungo, by shooting him through the heart, in presence of the honorable Solon Borland, a retired minister of the United States to the Republic of Nicaragua; Mr. Wiedeman, Hamburg Consul; Mr. W. L. Miller, Agent of Mr. George Law, and a number of other passengers. For full particulars of the occurrence, see annexed statements, marked G, H, and I, and report of Coroner's inquest, marked J.

The bungo, containing the body of the murdered man, returned to Greytown, where a coroner's inquest was held, and the following verdict rendered: "After taking into consideration the testimony of the different witnesses, find that deceased came to his death by a shot, fired from a weapon in the hands of Captain Smith, this 16th day of May, 1854. Signed by E. F. Mason, U. S. Vice Commercial Agent, W. Rogers, master of the bark Martha Clark, George R. Hughes, an employe of the Company; Oscar Peter, Levaille, Dr. Diezmann, and J. B. Lyons, resident citizens of the town." A warrant was then issued, and placed in the hands of the Marshal, who with a posse of men proceeded to arrest Captain Smith. When arrested he had a weapon in his hand, but seemed willing to accompany the officer, (see Doc. K,) but Mr. Borland came up and released Smith, and declared that the American government did not recognize the authorities of the town, and as minister of that government, could call to his aid every passenger on board the steamer, and shoot down every one of them. Then, upon seeing a boat approaching, with a force to support the Marshal, he seized a gun from a bystander, and levelled it at the parties in the boat, which acts and threats caused the Marshal and his party to return without the murderer.

In the evening of the same day, Mr. Borland, accompanied by Mr. Scott's son, visited the U. S. Commercial Agency; and soon after it was reported that Mr. Borland and Captain Smith were there, when an excited crowd assembled about the house, and demanded Smith's surrender. They also demanded entrance to the house, but were forbidden by Mr. Fabens, and threatened by Mr. Borland, that he would shoot the first man who attempted it. At this juncture Mayor Sigaud, who had been informed of the disturbance, came up, and was asked by Mr. Borland if he had authorized his arrest. The Mayor replied that he had not, and that the acts of the crowd, which he ordered to disperse, were unauthorized by him. At the same time, he apologized to Mr. Borland, and stated that he had only issued a warrant for the arrest of Smith; whereupon Mr. Borland declared that he would not allow the arrest of Smith, even if he had committed

murder. (See Doc. L.) During this conversation a missile was thrown by some one in the crowd, which struck Mr. Borland on the cheek, inflicting a slight wound, and the Mayor and Mr. J. B. Lyons immediately offered a reward of fifty dollars each for the discovery of the delinquent; (see Doc. L,) and on the following day the city attorney addressed a note (see Doc. M) to Mr. Fabens, inquiring as to his knowledge of the perpetrator, but he was also unknown to him, and up to the present time there is no knowledge of his identity, although suspicion pointed to Alexander Johnson, a deserter from an American war vessel, in consequence of certain threats made by him as to Mr. Borland; which suspicion was strengthened by his subsequent flight from the town, on the arrival of Commander Hollins, and who, we believe, was acting in the capacity of carpenter on board the United States sloop-of-war Savannah, in November last.

On the eleventh of July, 1854, the United States sloop-of-war Cyane entered the Port, when Commander Hollins immediately communicated with the Commercial Agent, who in the evening of the same day prepared his note and demand for indemnity addressed "to those now or lately pretending to, and exercising authority in San Juan del Norte," and delivered the same to Ex-Mayor Sigaud on the following morning. To which note no reply was made. On the same day on which the notice was served on the Mayor, (twelfth of May,) Commander Hollins issued his proclamation, (see Doc. N,) declaring his intention to bombard the town at nine o'clock on the following morning, unless the demand made by Mr. Fabens should be complied with. About eleven o'clock on the same day, a body of seamen and marines from the Cyane landed in the town, and took possession of all the arms and ammunition found in the station-house, and occupied the rest of the day in removing the furniture and effects (excepting an iron safe) from the house of Mr. Fabens, and also those of Captain Mancosos, an employe of the Company.

About half-past six o'clock of the morning of the day of bombardment, one of the Company's river steamers arrived at the wharf for the purpose of removing the families and effects of Mr. Wiedeman, the Hamburg Consul, and Messrs. A. De Barruel & Co. No previous notice of such assistance having been given them, they were, owing to the want of time, as well as the small dimensions of the steamer, unable to avail themselves of the proffered aid. A few persons, however, living in the vicinity of the wharf, embraced the opportunity to escape the coming danger, leaving the principal part of their effects behind. In fact, the sending of the boat was a *mere sham*, as the Company's Agent refused refuge and conveyance to several who

sought to avail themselves of its use. Besides, the steamer could not in a month have removed the goods and merchandise in the various stores and warehouses to the distance of one hundred rods, nor could she within a week have removed the effects of Messrs. Wiedeman & Bischor, and A. De Barruel & Co., to whom particularly her services were offered.

At nine o'clock on the same morning the guns of the Cyane were brought to bear upon the defenseless and deserted town, and the firing continued at intervals with but little damage until four o'clock in the afternoon, when a force was landed from the sloop, who, by applying lighted torches to every house except one, which stood at the farthest extremity of the town, soon completed the work of destruction.

We have faithfully chronicled every important occurrence which took place at San Juan del Norte from the month of April, 1852, up to the time the town was destroyed, and will conclude our remarks by referring briefly to the position taken by the late Mr. Marcy, then Secretary of State, in his reply to the French Minister.

Not being in possession of Mr. Marcy's letter, we can not fully reply to it, but remember the most particular items thereof to be to the following effect: That the community of San Juan was a piratical one, and had committed frequent depredations upon the persons and property of citizens of the United States, and wantonly insulted the agents and authorities of that government; that they had no legal jurisdiction, and that persons unconnected with the government, who had been offered facilities for the removal of their effects, and rejected them, could not claim exemption from punishment, but must suffer alike with the guilty. These, we believe, are in substance the principal points in Mr. Marcy's letter of justification; but instead of discussing these, we will content ourselves by simply controverting his *supposed facts*—by impeaching the testimony furnished him.

The charge of piracy we totally deny. No piratical act was ever committed or countenanced either by the local government or any resident of Greytown; and if the Mosquito flag was illegal, they are not answerable therefor, said flag never having been recognized or used by them in any shape whatever, but planted there by the British Government, who wrested the territory from the Republic of Nicaragua, in January, 1848, and which flag is still used by them in their protectorate capacity over the entire Mosquito coast. (See Constitution, marked C, and resolution of City Council in reply to Admiral McQuade and Consul Green.) Nineteen twentieths of the population were opposed to the existence of said flag, and among the American

residents it had only one supporter, and steps were being taken for its removal when the dispatch (See Doc. A) of the Hon. Daniel Webster was received. In it they were warned against so doing, and commanded to pay implicit obedience to the flag and the authorities acting under it; and they were likewise informed "that it was not against the policy of the United States Government to recognize any well-intended Government for the correction of evil-doers."

Taking into view also the demand made by the United States Government, through Mr. Fabens, for payment of twenty-four thousand dollars damages for acts charged against the local government, we can not for a moment suppose that Mr. Marcy seriously believed the community of Greytown was a piratical one, for if he had, he would have proceeded in the usual way against pirates, and not have given them an opportunity of escaping by the payment of money.

The charge of having committed depredations upon the persons and property of United States citizens is also denied. The local government, in causing the arrest of Thomas Baldwin, and binding him to keep the peace for an attempted assault on David Samooda, as also in arresting Sloman and Joseph N. Scott, were actuated by a desire to promote peace and order among the community, and were justified in so doing, and were in accordance with the views expressed by Mr. Webster in his dispatch relative to the policy of the American Government, which declaration was, aside from principles of justice, sufficient to warrant them in arresting Smith for the murder of Paladino within their local jurisdiction; and they have never interfered with any citizen of the United States in the enjoyment of his legal rights.

The Atlantic and Pacific Canal Company, which afterwards merged into the Accessory Transit Company, through their authorized agent, applied to the Mosquito Government for leave to occupy a lot of ground, two hundred by four hundred feet in extent, on the opposite side of the harbor, as a coal depot, and received permission so to do, on the twelfth of June, 1851, (See Doc. O,) at a nominal rent of sixpence sterling per month. While an employe of the Company erected a hotel or bar-room outside of the leased land without the consent of the Government.

The land in question being afterwards required by the local Government for the purpose of erecting a Quarantine, etc., as before mentioned, the Company were required to vacate. Refusing to do so, they were brought into Court, where the matter being decided against them, they were about being removed by the authorities when Commander Hollins interfered. The hotel, however, had been removed

by the City Marshal previous to the interference. For these acts, the local Government claim to have had legal authority.

As to having wantonly insulted, or treated with disrespect, any officer of the United States Government, nothing can be more foreign to the truth. National pride and feeling in the breast of every American, as well as the native Nicaraguans, who at that time considered the United States the strong friend and arbiter of the cause of Nicaragua, would have caused them to oppose and prevent any attempt on the part of the local government to commit so unwise and discourteous an act. Besides, their own defenseless position would have forbidden such a course.

It will be borne in mind that Mr. Borland, who had represented the United States Government at that of Nicaragua, had resigned his commission before he left the capital of that state, and had so informed his Government, and was, at the time of Smith's arrest for the murder of Paladino, on his way home; and his conduct in espousing the cause of the guilty, and threatening with violence the officer charged with the execution of a warrant emanating from an authority recognized by that distinguished statesman, the Honorable Daniel Webster, and the United States Government, as well as the formal recognition of the local government of the town by the Government of Great Britain and the Hanseatic Towns, was neither creditable to himself nor the great Republic from which he hailed. Nor is it by any means clear that he did not by words spoken stimulate Smith to the commission of the deed, thereby rendering himself accessory thereto. As to the insult and wound received from an unknown hand, these were likely to have resulted any where, and to any person who made use of such violent and threatening language as Mr. Borland did upon the occasion referred to, while the dispersal of the crowd by the Mayor, and offer of reward both by him and Mr. Lyons for the discovery of the perpetrator of the deed, distinctly prove that the acts of the crowd were in no ways authorized by the city government.

The charge of want of legal jurisdiction requires but a passing notice. It is proper for a government, as well as its duty, while in possession of a foreign territory, to enact and enforce such laws for the better protection of the interests of the inhabitants thereof, as it may deem necessary; and it can with propriety delegate either the whole or part of its authority to another party, for the same purpose. We therefore hold, that the Mosquito Protectorate Government, in delivering over to the inhabitants of Greytown the jurisdiction thereof, was fully justified, and the formation by them of a local govern

ment, recognized by the various claimants of sovereignty, rendered its enactments as full of force as if they had emanated from the Nicaraguan or Mosquito Governments.

Nor had the inhabitants any idea that the United States Government regarded them as an illegal community, or in any way antagonistical to her views, until the same was made known by a boast of Mr. C. Cushing, an agent of the Accessary Transit Company, at Virgin Bay, on the second of July, 1854, nine days previous to the arrival of Commander Hollins at Greytown, "that he had been informed by letter from Mr. Joseph White, who had the ears of the Cabinet at Washington, that the Cyane would during the month arrive at Greytown, for the purpose of its bombardment."

As to the facilities offered for the escape of residents and removal of their effects, and by them rejected, we have before stated that it was a *mere sham*—otherwise, timely notice and a sufficient number of boats would have been tendered for that purpose.

The evidence upon which the United States Government acted in causing the destruction of Greytown, and which ended in ruin to the inhabitants, and serious loss to mercantile houses in various commercial cities both in this country and in Europe, was furnished by Commander Hollins, Minister Borland, and Consul Fabens, *almost every one of whom* has, to a greater or less degree, incurred the displeasure of their Government, and the almost unanimous condemnation of the public press and people; and their evidence should be taken with some degree of caution, particularly as Commodore Parker, Captains Pendegrast, Pratt, Green, and Gerry, Minister Walsh, W. F. Boon, and H. L. Stevenson, United States Commercial Agents at Greytown, all of whom are in good standing with their Government and the public, were familiar with the local government and inhabitants of Greytown, as well as most of the occurrences recorded, and never witnessed any of the vicious and lawless acts attributed to that community by the three first-named individuals.

We do not mean to say that misdeeds were never committed at Greytown; the local government being formed for the suppression and punishment of such, and it was no ways tardy in punishing offenders, except when interfered with by the United States Government, as before mentioned.

Since the destruction of the town, the local government has been less prompt and efficient in its course of action, owing to its circumscribed authority, if any be conceded it, by the United States Government. But notwithstanding this, it is at the present time, and has been for the last seven years, the most efficient if not the only govern-

ment in Central America where freedom, and protection of life and property, are fully enjoyed.

Objection has been made to the existence of Greytown on account of its large colored population; but the same can be urged with equal force against every government of Spanish America.

As to their enjoyment of equal civil and political rights with the white man, all of them under their own native governments possessed the same; and for the local government of Greytown to have ejected them in consequence of color, would have given offense not only to foreign governments, but to the respective claimants of sovereignty, and would have produced an outward pressure too great for that small and defenseless community to have successfully resisted.

With these remarks, we leave our cause to the decision of a Congress of our country, the public verdict having been promptly given in our favor at the time of the occurrences complained of.

S. S. Wood, Commissioner.

W. P. Kirkland, Solicitor.

DOCUMENTS.

A.

ADMITTING RIGHT OF GREAT BRITAIN TO PROTECT GREYTOWN.

WASHINGTON, *March* 18, 1852.

SIR: This Department learns with much concern that an assemblage of persons, styling themselves citizens of San Juan de Nicaragua, (or Greytown,) was held at that place on the 28th ultimo, which reported resolutions to send a deputation to the capital of the Republic of Nicaragua, for the purpose of soliciting from the Government of that Republic a charter for San Juan, and directing the delegates to obtain a proper guarantee of protection from that Government for all property for which a proper consideration has been paid.

It is obvious that, in taking this step, these persons have been unmindful of the fact that the Republic of Nicaragua has not been in possession of the port of San Juan since 1848. Whatever, therefore, may at any time have been her abstract right of jurisdiction over that port, she can not, as a party adverse to the one now in possession, grant any privileges or franchises to a third party, in respect to that place. Although those who moved and adopted the resolutions above referred to call themselves citizens of San Juan de Nicaragua, they must, so far as that proceeding goes, be considered as that party. This department is not informed how many of those who took part in that proceeding had been citizens of the United States. It is not improbable, however, that a majority of them had been so, and that they were not fully sensible of the serious consequences which might result therefrom. It is quite obvious that those persons who attended the meeting, and who had been citizens of the United States, have gone to Greytown with the purpose of settling and abiding at that place. They have placed themselves under a foreign jurisdiction, and whether it be the jurisdiction of the Mosquito Indians, under the protection of England or of Nicaragua, they can not lawfully claim the protection of this Government, as being citizens of the United States. Very serious consequences may happen to them if they undertake to establish a new authority at Greytown, under present circumstances; and you will request the commander of the United States vessel at Greytown to make the contents of this communication fully and immediately known to the persons who acted a leading part in the meeting

which has been referred to, in order that they may have timely warning.

They will not be countenanced by the Government in any attempt, forcibly or otherwise, to subvert the acting authorities. They should be informed that a further and perhaps sufficient reason for forbearance on their part is the fact, of which you have already been apprized, that negotiations are on foot here, which, it is hoped, will soon be concluded, by which the objects they have sought to obtain from Nicaragua may, perhaps, be compassed without impediment from any quarter. It is well understood that Great Britain is fully committed to protect Greytown, as belonging to the Mosquito Indians; and it is not at all probable that she would see Nicaraguan authority, or any other authority, take possession till pending negotiations are closed.

An instruction of a similar tenor will be addressed by Her Britannic Majesty's Minister here to the commander of the British vessels of war at Greytown, and to the British Consul there, directing them to give a like warning to British subjects who may have taken part in the proceedings above referred to. It would also be advisable that the naval commanders of the respective nations at San Juan should have a friendly understanding as to the best means of preserving peace and order, and preventing violence of any kind at that place.

I am, etc.,

(Signed) DANIEL WEBSTER.

B.

PUBLIC NOTICE.

The householders, freeholders, and tax-payers of the City of Greytown are respectfully invited to attend a public meeting on Monday the 29th instant, at 7 o'clock P.M., at the Union Hotel, for the purpose of modifying and revising the present Constitution, and of making proper arrangements for the approaching election of the 15th April next. James Green, *Chairman of the City Council.*

David Kilpatrick, *Secretary of the City Council.*

Greytown, 27 March, 1852.

C.

PREAMBLE.

We, the native and adopted citizens of Greytown or San Juan del Norte, in Central America, in order to establish a suitable Government, to secure the blessings of liberty, establish justice, insure demestic tranquillity, and promote the general welfare, do adopt the following Constitution for the City of Greytown or San Juan del Norte, and define the boundaries of the same as follows:

BOUNDARIES.

Commencing at the mouth of Indian River, thence running up through the channel of said River fifteen miles, thence in a direct line so as to include the head of the Machuca Rapids, thence down the San Juan River to its junction with the Colorado, thence down the channel of the Colorado River to the Caribbean Sea.

ARTICLE I.

Declaration of Rights.

SECTION 1. All men are by nature possessed of certain inalienable rights, among which are those of enjoying and defending life and liberty, acquiring and protecting property, and securing happiness.

SEC. 2. All political power is inherent in the people; Government is instituted for their protection, security, and benefit; and they have the right to alter and reform the same whenever they may deem it requisite for the public welfare.

SEC. 3. The right of trial by jury shall be secured to all, but may be waived by the consent of parties in civil cases.

SEC. 4. The privilege of the Writ of Habeas Corpus shall not be suspended, unless in cases of clear manifestation of defeating the ends of justice, nor shall excessive bail or fines be imposed, nor shall cruel or unusual punishment be inflicted, nor bail be denied except in capital offenses of the highest and most flagrant character.

SEC. 5. No person's life or liberty shall be placed twice in jeopardy for the same offense; nor be compelled in any criminal prosecution to be a witness against himself; or be denied any of the facilities of procuring the attendance of witnesses in his behalf by due process of law, or to interrogate witnesses when confronted by them, or to be heard by himself or counsel in his defense.

SEC. 6. Freedom of speech and press is fully guaranteed, but every person is held responsible for the abuse of that right.

SEC. 7. The people have the right to assemble, consult the public good, and instruct the Legislative Department on any subject affecting the public welfare.

SEC. 8. There shall be no imprisonment for debt, except in cases of fraud, supported by affidavit or other undeniable evidence.

SEC. 9. No bill of attainder, ex post facto law, or law impairing the obligations of contracts, shall ever be passed.

SEC. 10. No warrant shall be issued to search any house or premises, unless there be probable cause, supported by oath or affirmation particularly describing the place to be searched, and the person or property to be seized.

SEC. 11. This enumeration of rights shall not be construed to impair or deny the existence of other undelegated rights.

ARTICLE II.

The Executive Department.

SEC. 1. The Executive Department shall be vested in a City Mayor, who shall be elected by the qualified citizens of the City, on the fifteenth day of April of each year, *provided* it be not on a Sunday, if so, on the following day.

SEC. 2. No person shall be eligible to the office of Mayor (except at the first election under this Constitution) who has not been a resident of this City at least six months next preceding the election, and attained the age of twenty-five years.

SEC. 3. He shall transact all executive business, with the other city officers, civil and military, try all civil and criminal cases, brought before him, sign, seal and indorse his name to all official documents requiring the same, examine the condition of all public offices and public property, and make out a written report of all public affairs, and do and perform all other duties which may hereafter be assigned him by law.

SEC. 4. He shall suspend the execution of sentence of punishment, where the same involves the life or liberty of the accused, when petitioned, until the next session of the Council, to whom he shall report all the particulars of the case, and they will either pardon, commute, or order execution of sentence, as the case may be.

SEC. 5. In case of the impeachment of the Mayor, or his removal from office, or inability to discharge the duties of his office by resignation or otherwise, the duties of his office shall devolve on the President of the City Council, until the Mayor be reïnstated in office, return to his duties, or his successor be elected and qualified to act.

SEC. 6. No person while holding the office of Mayor shall hold any other office or title.

ARTICLE III.

Officers and their Duties.

SECTION 1. At the same time and place, and in the same manner in which the Mayor or Common Council are chosen, there shall be elected a City Register, City Attorney, City Marshal, City Treasurer, Coroner, Captain of the Port, Health Officer, City Surveyor, and Public Administrator. The office of City Surveyor, Captain of the Port, and Coroner, shall until otherwise provided for by law, be vested in the Health officer.

SEC. 2. The City Register shall also be *ex officio* Clerk of the Mayor's Court, Secretary of the Common Council, and Postmaster, until otherwise ordained by law.

SEC. 3. The City Marshal, by virtue of his office, shall be Captain of Police, and shall also serve in the capacity of Public Administrator, until otherwise ordained by the Common Council.

ARTICLE IV.

SECTION 1. The judicial power of the City shall be vested in a Supreme Judge and two Associate Judges, in addition to the judicial duties assigned to the Mayor of the City.

SEC. 2. Two of the Supreme Judges shall be sufficient to constitute a Court to try and determine any and all cases that may be brought before them.

SEC. 3. The Supreme Court shall have power and jurisdiction in all cases of appeal which may arise in the Mayor's Court, and in special cases, as may be designated by the Common Council; but in no case shall their decision apply to matters of fact, but simply to questions of law.

SEC. 4. The time and place of election, qualification for and term of office, and compensation, shall hereafter be provided by law.

ARTICLE V.

Legislative Department.

SECTION 1. The Legislative Department shall be vested in a Common Council, chosen from and by the qualified voters, to serve for the term of twelve months.

SEC. 2. The Common Council shall consist of Five Councilmen, one of whom shall be chosen President of the Council, to preside over the deliberations and decide in all cases of a tie.

SEC. 3. The members of the Common Council shall, within fifteen days after their election, present themselves before the Mayor, or, in his absence or disqualification, before one of the Supreme Judges, and take the oath of office, and choose from their number a presiding officer, and determine the time and place of holding their stated meetings, (but may be convened by the Mayor at any time,) provide rules for their own proceedings. They shall also keep a journal of their proceedings; and, at the desire of any member, shall cause the yeas and nays to be taken and entered on any question; and, upon the presentation of the written protest of any member, cause the same to be entered on their journal without comment.

SEC. 4. In the absence or disqualification of the President to act, they shall appoint from their body a *President pro tem.*, who shall be vested with all the power properly belonging to the President. A majority of the members shall constitute a quorum to do business. They shall judge of the qualifications of their successors and all city officers, and determine contested elections; inflict reasonable fines and imprisonment on any member of their body or other persons, for disorderly and contemptuous conduct in their presence; levy and collect taxes, impose fines, offer rewards, regulate licenses, provide for the payment of the public debt, and provide for the support and defense of the City; enact laws authorizing the purchase, rent, or lease, of any property the city may require, or to sell, rent, or lease public pro-

perty; but shall not dispose of any of the public land until the City shall have acquired title from the Governments claiming the same, by purchase, treaty, or otherwise; pledge the faith of the City to borrow money, do so by a vote of the citizens, stating for what purpose it is to be borrowed, and specifying the amount; but no specified property of the City shall ever be mortgaged for the payment of debt or any other purpose, nor any pledge of the faith of the City, for a longer period than five years, nor money borrowed at a greater rate of interest than eight per cent per annum; nor shall any investment of the public money be made in any stock company or other scheme of speculation; nor shall the amount borrowed ever exceed twenty per centum on the amount of taxes collected for the fiscal year for which the loan be made. Nothing contained in the foregoing sections shall be construed as a denial of the right to erect any public building, wharf, etc., which may be required for the general good, charitable, or other worthy donations, *provided* said donations be not greater than one per cent on the amount of tax collected for the year in which the donation is made.

SEC. 5. They shall determine the proper qualifications for office not herein provided for; determine the qualifications of voters, establish time and place for holding elections, the manner of conducting the same; exact bonds from all persons holding offices of trust; establish legal forms, fees, and salaries of officers; make all laws, rules, and regulations necessary for carrying into effect the aforesaid powers, to do and perform all acts appertaining to a constitutional legislative body not enumerated in this constitution or prohibited by it, or the Declaration of Rights.

ARTICLE VI.

Laws, Precedents, Etc.

SECTION 1. The Common Law of England shall be recognized, and the same is hereby incorporated in all the Courts of Government.

SEC. 2. The decisions of the Supreme Courts of the United States of America shall be conclusive in all similar trials in any and all the Courts of this Government.

ARTICLE VII.

SECTION 1. No officer shall be exempt from civil or criminal prosecution in consequence of his office, excepting officers elected or appointed to conduct elections, who shall be exempted from arrest on the day of election.

ARTICLE VIII.

SECTION 1. No law shall be enforced until it shall have been published, by written or printed notices posted up at least ten days in the Council Chamber, and in three of the most public and often frequented places in the city, in both the English and Spanish languages.

ARTICLE IX.

SECTION 1. No idiot or insane person, or person convicted of any infamous crime, shall be eligible to office or entitled to the privilege of an elector.

Sec. 2. All elections held under this Constitution shall be by ballot. The ballot shall be a paper ticket, containing the name of the person or persons voted for, and designating the office to which each person so named is chosen.

Sec. 3. All male citizens over the age of twenty-one years, who shall have resided in this city thirty days next preceding the ensuing election, (April 15th, 1852,) shall be entitled to exercise the right of an elector.

ARTICLE X.

Section 1. There shall be appointed by the citizens at the time of the adoption of this Constitution, three Inspectors of Election, whose duty it shall be to provide a suitable ballot-box, with a lock and key attached thereto, and keep the same in their possession, in which they shall deposit the ballots, as received from the Electors, (after they, the Inspectors, shall have opened the polls, on the fifteenth day of April instant, at the hour of 9 o'clock A.M., and have continued the same open until 4 o'clock P.M.,) and upon the closing of the polls, proceed to count out the ballots, declare the result of the election, and furnish the persons elected with certificates of their election.

Sec. 2. There shall also be appointed at the said meeting two Clerks, whose duty it shall be to keep a separate poll-list, on which they shall record the names of the electors; and, after the closing of the polls, they shall record the names of the persons voted for, and to what office they are chosen, as they are called out by the Inspectors, until they shall have recorded all the ballots.

Sec. 3. It shall be the duty of the Inspectors, when a voter is challenged, to inform the person of the requisite qualification of an elector, and to decide upon the legality of the vote.

AMENDMENT, ETC.

Should the Common Council at any time deem it necessary to alter or amend this Constitution, they shall state in writing the particular clause they propose amending, and specify what alterations are deemed necessary, by publishing the same thirty days, requiring the qualified voters to vote yea or nay on the proposed amendment at the ensuing election. If two thirds of the votes polled be in favor of the amendment, the alteration shall be made by the Common Council at its next regular meeting, in the very words and figures voted for by the people.

(Signed)

Wm. P. Kirkland,
Wm. B. Gerring,
Jos. V. Perez,
M. B. Jadownicki,
Wm. H. De Forest,
Jean Mesnier,
R. W. Mackay,
N. Boilvin,
Leon Mancho.

We do hereby certify, that the foregoing Constitution was submitted to the citizens of the City of Greytown, at a meeting held for that purpose, at the Union Hotel in said city, on this twenty-ninth day of March; and it was then and there read section by section, and adopted unanimously.

Dated at Greytown, this twenty-ninth day of March, A.D. 1852.

THOMAS CODY, *President.*

WM. E. SHELDON, }
H. L. STEVENSON, } *Secretaries.*

D.

BRITISH CONSULATE,
GREYTOWN, 1st April, 1853.

GENTLEMEN: I have to acknowledge the receipt of a notification of this day's date, signed by the Mayor of the city, by which I am given to understand, that a provisional government has been formed by the citizens for the maintenance of law and order, and also including a list of the officers elected to carry it into effect. I have been authorized by the commander of H. B. M. ship "Geyser" to mention his acknowledgment of the jurisdiction and limits of the aforesaid provisional government, to the same extent and in the same manner as that previously enforced. On my own part and on behalf of the British Government, I also hereby recognize the authority of the provisional goverment as before stated.

I have the honor to be yours, etc.,

(Signed) JAMES GREEN,
H. B. M. Consul.

To the Mayor and City Council of Greytown.

UNITED STATES SHIP CYANE,
Off Point Arenas, April 1st, 1853.

SIR: I have the honor to acknowledge the receipt of your letter of this date, inclosing a resolution passed by the citizens of San Juan on the evening of the twenty-first March, 1853. I will acknowledge your authority, and the officers named in your letter as elected by the citizens of San Juan, so far as my instructions will allow me, and no farther. That there may be no misunderstanding between us, I send you the words of the late Daniel Webster, by which I am guided. Meanwhile a temporary recognition of the existing authorities of the place sufficient to countenance any well-intentioned endeavors on its part, to preserve the public peace and punish wrong-doers, would not be inconsistent with the policy and honor of the United States. I am glad to hear you have again formed a government. The persons elected to fill the various offices are their own choice. Of course I make no objection to them.

I am, etc.,

(Signed) GEO. N. HOLLINS.
Commanding U. S. Ship Cyane.

T. J. MARTIN, Esq.,
Mayor-elect, San Juan del Norte.

COMMERCIAL AGENCY OF THE UNITED STATES OF AMERICA,
SAN JUAN DEL NORTE, 1st April, 1853.

To the Honorable Mayor and Council of San Juan del Norte:

GENTLEMEN: I have the honor to acknowledge receipt of your communication of this day's date, advising me of the organization of a provisional government for this port and city. It gives me much pleasure to congratulate the citizens upon the establishment of law and order, and at the same time to assure you of my appreciation of the good order and security to person and property which has been a characteristic of this town during the past twelve months.

I have the honor to be, etc.,

(Signed) H. L. STEVENSON,
U. S. Commercial Agent.

E.

COMMERCIAL AGENCY, UNITED STATES AMERICA,
SAN JUAN DEL NORTE, NICARAGUA.

By this public instrument of protest, be it known unto all men, that on the twelfth day of May, 1854, personally appeared Joseph N. Scott, Agent of the Accessory Transit Company of Nicaragua, who being duly sworn, did solemnly depose and say: That on the evening of Friday, fifth inst., at or about the hour of 11 P.M., William Creighton, mate of the steamer H. L. Bulwer, being at that time at the said Company's Station, at Point Arenas, did observe four men in the act of loading a yawl-boat, belonging to the said Company, with merchandise; and suspecting something wrong, in consequence of the lateness of the hour, did thereupon notify the deponent of the fact. The said Creighton recognized the aforesaid men as Robert Reid, I. Magraw, and two others, names unknown, but at the time, or previously, employes of the Company. The deponent immediately proceeded to the spot, but the boat was at some distance from the beach at the time of his arrival. He hailed the boat, calling upon the man Reid by name, to come back. The parties in the boat made no reply, although they were within easy hailing distance; and their voices were heard from the shore apparently exhorting one another to push on. He, the deponent, finding that no attention was paid by the men in the boat to his command, at once dispatched a second boat, manned by William Creighton, Robert Bullis, and William Sloman, all employes of said Transit Company, in pursuit. The boat that first left the said Point Arenas, shaped her course for the city of San Juan del Norte; and arriving there before the second boat, a portion of the men succeeded in leaving her before the pursuers reached the spot. One man, the aforesaid Reid, was found in the boat, and while resisting the attempts of the aforesaid Sloman to secure him, he was struck upon the head by said Sloman. The said Sloman, after knocking the man Reid into the water, attempted to shove the boat off shore, and while in the act of so doing, the soldiers from the Station-House

threatened to fire on him. Thus compelled, the said Sloman returned to the shore with the boat. In the mean time the men who had escaped from the first boat, took refuge in the Station-House. He, the deponent, doth farther solemnly depose and say, that the said yawl-boat above described, together with the merchandise therein, consisting of flour, corn-meal, etc., was the property of the aforesaid Transit Company, and was stolen from the said Company as above described, and that it was in the attempt to recover said property, and secure the persons of the offenders, that the above-specified difficulty occurred. Soon after the occurrence last described above, Mr. Hutchinson, Clerk of the aforesaid Transit Company, acting under the orders of the deponent, accompanied by three men, arrived on the spot, and finding the stolen boat on the beach, jumped into her, with his (the said Hutchinson's) men. The said Hutchinson then attempted to shove off the boat, and was ordered by a policeman, with a musket, to stop; but no atention being paid to this order, the man dropped his musket, and called on the crowd to assist him in taking possession of the boat, which, being the strongest party, they succeeded in doing. The said Hutchinson then seeing F. Deizmann, Captain of the Port of San Juan del Norte, called upon him, the said Deizmann, to deliver over to him, the said Hutchinson, the aforesaid boat, agreeing at the same time to leave in his, the said Deizmann's charge, the merchandise therein, until the following morning, that it might then be identified, with the express understanding that the property was not to be in any other way disposed of, until said examination was made.

The said Hutchinson, together with the aforesaid Sloman, Bullis, and Creighton, having the three boats in charge, then left the Port of San Juan del Norte, aforesaid, on their return to Point Arenas. On the following morning, fifth inst., the said Hutchinson returned to San Juan with the said Creighton, to identify the aforesaid property, in accordance with the agreement made with the said Deizmann, as above described. He, the said Deizmann, had not the property in charge, but said he handed it over to the charge of the Marshal. The said Hutchinson then accompanied the said Marshal to a house, in the open yard of which were some articles which he, the said Marshal, asserted were the goods in question. The said Hutchinson finding the agreement made between himself and the said Deizmann, above described, had been violated, and seeing that the flour and other articles taken by the aforesaid Reid, Magraw, and associates, were missing, and that the wife of the said Magraw was apparently in charge of the goods, declined making any examination of the same, and left, on his return to the Point aforesaid. On the same morning, sixth inst., A. Sigaud, Mayor of San Juan del Norte, issued a warrant for the arrest of the aforesaid Wm. Sloman, charged with assault and battery upon the person of the aforesaid Robert Reid, which was received by the said Sloman from the hands of the Marshal. The said Sloman being in the employ of the aforesaid Transit Company, requested to communicate with the deponent, Agent as aforesaid, under whose orders he had acted. The said Marshal then accompanied the said Sloman to the office of the deponent, and the deponent replied to the demand of the said Mar-

shal, that according to the views of the Company which he represented, the authorities of San Juan del Norte had no authority or jurisdiction over the territory known as Point Arenas, and that he should not permit the arrest of the said Sloman by them, except it was effected by force, and under protest; upon which the said Marshal departed. On the afternoon of the same day the said Marshal returned, accompanied by an armed force, when the deponent permitted the taking of the said Sloman, protesting verbally against the act at the time, and notifying the said Marshal of his determination to send in likewise his written protest to the authorities of San Juan del Norte, at his earliest convenience. Now, therefore, the deponent, for and on behalf of the aforesaid Transit Company of Nicaragua, doth hereby publicly and solemnly protest against the authorities of San Juan del Norte and their proceedings as above described, in the assistance rendered by them in harboring the aforesaid Reid, Magraw, and associates, to the great detriment of the Transit Company aforesaid, and in sending an armed force to the territory known as Point Arenas, in Nicaragua, now occupied by the said Transit Company by virtue of their Charter from Nicaragua, as a gross and unjustifiable outrage upon the property, as well as the rights and privileges of the said Transit Company, and will hold them, the authorities aforesaid, responsible, for all losses, damages, and charges, and interests which are or may be occasioned by the same.

(Signed) Joseph N. Scott, Agent.

Sworn to and subscribed before me on the day and year first above written.

(Signed) Joseph W. Fabens,
U. S. Commercial Agent.

Commercial Agency, United States America,
San Juan del Norte, Nicaragua.

I hereby certify that the foregoing Protest is a true copy from the Record-Book of this Agency. In testimony whereof I have hereunto set my hand and affixed the seal of my Agency on the twelfth day of May, 1854. (Signed) Joseph W. Fabens,
U. S. Commercial Agent.

Greytown, or San Juan del Norte, June 28th, 1854.

We, the undersigned, declare that the things found in the boat belonging to the Accessory Transit Company, on the night of the fifth of May last, when it was examined by Mr. Hutchinson, the Company's Clerk, consisted of nothing more than wearing apparel, and that there was no meal, flour, rice, or any other thing supposed to be belonging to the said Company.

(Signed) Thomas S. Codd,
John I. McClean,
his
Robert ⋈ Reid.
mark.

F.

COMMERCIAL AGENCY, UNITED STATES OF AMERICA.
SAN JUAN DEL NORTE, NICARAGUA, July 11th, 1854.

To those now or lately pretending to and exercising authority in and to the people of San Juan del Norte.

GENTLEMEN: On the 24th ultimo, in accordance with the instructions of the Government of the United States of America, I notified you that the said Government would require of you immediate reparation for the property belonging to the Accessory Transit Company, which was stolen from the said Company and received by you, as specified in my letter of that date, as well as for all damages suffered by their agents and employes while endeavoring to re-possess themselves of the same. I have now, acting in concert with Commander Hollins, of the United States ship Cyane, at present in this harbor, to demand of you immediate payment of the sum of sixteen thousand dollars, which has been adjudged to be the proper sum for you to pay for the said property and the gross outrages perpetrated by you upon the persons of American citizens, as set forth in protests of Mr. Scott of the 12th of May last, copies of which have already been served upon you.

There is likewise a claim of the Accessory Transit Company *vs.* the acting authorities of San Juan del Norte, for the sum of eight thousand dollars, as specified in my letter to you of the 24th ultimo. This you will be likewise expected to pay forthwith.

For the indignity offered to the United States of America, in the conduct of the authorities and people of this town towards their Minister, Mr. Borland, while recently in this place, nothing short of an apology promptly made, and satisfactory assurances given to Commander Hollins of future good behavior on the part of the said authorities and people towards the United States and her public functionaries who may in future be here, will save the place from the infliction which its late acts justly merit. Your obedient servant,

JOSEPH W. FABENS,
United States Commercial Agent.

G.

COLONEL FREMONT'S STATEMENT.

THE immediate origin of the difficulty in which Borland participated, was the homicide of the negro captain of a bungo, or river boat, committed by Captain Smith, of a steamer plying on the river. Notwithstanding published statements directly the reverse, this homicide was considered by the Americans, almost without exception, a deliberate, cold-blooded murder, without a shadow of palliation. There had been some previous difficulty between Smith and the negro.

On the day of the homicide, Smith's steamer ran into the negro's bungo, when the latter threatened to shoot Smith if he broke his boat.

The bungo, however, was uninjured. Subsequently the steamer started down the river, and after it had proceeded some distance put back again, apparently for no other purpose than to run into the bungo, which it did, crushing it like an egg-shell. At this time the negro was sitting in his boat with his gun across his knees. The weight of testimony is, that he made no hostile demonstration against Smith, having neither risen from his seat nor raised his gun, when Smith deliberately shot him. Immediately upon being shot, the poor fellow got up, and while attempting to step from the wreck of his bungo into the boat alongside of it, his strength failed him and he fell into the river.

A warrant was issued by the Mayor of Greytown for Smith's arrest, and an officer went on board the steamer, as every one knows, but was prevented from getting his prisoner by the forcible resistance of the passengers, headed by Borland. In aiding the Minister thus to resist the officers, the passengers did not intend to indorse the murder of the negro, or absolve his murderer. On the contrary, it would have been a very easy matter to have had him hung on brief notice by a "Committee of Vigilance," had either of the acknowledged leaders proposed it. But Mr. Borland. in a speech he made to the crowd, as well as in private conversation, told them he was instructed not in any way to recognize the authority of Greytown, (deriving its authority from the Mosquito King,) as separate and distinct from Nicaragua. To permit the Greytown officers to arrest an American citizen, and try him for crime, would be to recognize the authority of the town government in the fullest sense; and so Mr. Borland urged them to aid him in "crushing out" this scion of the Mosquitoes. If the government of Greytown was illegal, deriving its powers from incompetent authority, the act of the officers who attempted to arrest Smith could only be looked upon as the act of a mob, proper to be resisted by mob force. In this opinion the whole steamer's party concurred. And, of course, the arrest and imprisonment of Mr. Borland that night was looked upon as the act of an irresponsible mob, without law or authority of any kind.

H.

William L. Millar, residing at 582 Houston street, in the city of New-York, states: "I was on board the steamer Ruth when Antonio, the pilot, was shot. I took passage in the Ruth at Machuca Rapids. About two o'clock in the forenoon, as I was sitting in my hammock below, I heard loud talking on deck, and from some bungos which appeared to be alongside. Presently two colored boys came in and took out three pistols, two of which they concealed in their breast. I asked them what was the excitement? They told me Captain Smith was turning the boat around to go back and shoot Antonio, the patrone of the bungo we had just now passed. I asked the reasons of his shooting him. They said that Captain Smith and he quarrelled every time they met; that he once worked on the boat with Captain Smith;

that they had a quarrel, and quarrelled every time they met afterwards. The boat went on back up the river for about half an hour, when she turned round and ran right down, bows into the broadside of Antonio's bungo. I had gone out on the guard. There were two bungos lying together, Antonio's outside. It sounded as if the boat was smashing the bungos all to pieces. Antonio kept sitting on the stern of his boat—the *chopa*. He did not rise until the steamer struck his bungo, when he rose up, held up his left hand to Captain Smith, and said : ' *Cuidado capitan, usted rompe me bongo* '—' Take care, captain, you break my bungo.'

" He was about to repeat the same expression, and got out the word, ' cuidado,' when a ball entered the nipple of the left breast. While standing in this position he had in his right hand a single-barrelled gun on half-cock, the butt end of it resting on the chopa of the bungo, his right hand grasping the barrel about three or four inches from its mouth.

" The instant the shot entered him he took two steps forward, and was in the act of taking the third when he tumbled head foremost into the other bungo next the bank. The steamer then went on. As far as I saw in looking back, he remained in the same position, with his feet up.

" We proceeded down the river, getting aground two or three times. Most of the passengers disapproved of the act of Captain Smith, and the talk was that Mr. Borland told him to shoot him. I went up on the hurricane-deck, where Mr. Borland, Captain Smith, and Mr. Wiedemann, the Hamburg consul, and several others were standing. Captain Smith was in the pilot-house. I asked Mr. Borland if he thought it was right for Captain Smith to shoot the captain of the bungo. Mr. Borland answered that he thought it very wrong to shoot him ; that he had said to him that were he in his place, he would bring Antonio on board and whip him, and that he did not expect Captain Smith would shoot him when he sent out his men to bring Antonio on board the steamer. Mr. Wiedemann and others were present when this talk occurred."

I.

" The undersigned, a native citizen of the United States, master of American bark Martha Clark, owned by C. Durand, Esq., of this city, having seen several statements in the public newspapers of this City in relation to the interference of Mr. Borland with the authorities of San Juan, make this statement: My vessel, the aforesaid bark, Martha Clark, was lying in the harbor of San Juan del Norte at the time of the murder committed by Captain Smith, and I was one of the first persons summoned to serve on the Coroner's Jury to investigate the murder of the native. Mr. Fabens, the Commercial Agent, was present at the session of the Jury and approved of the arrest of Smith, and the Mayor sent a police force to arrest said Smith, cautioning the police not to be excited or rash.

L. of C.

"The boat contained native Nicaraguans, special police commanded by Don Roman Rivas, son of the Collector of the Port of San Carlos. The other contained the Marshal and his assistants. The arrest was prevented by Mr. Borland, and Mr. Fabens, after seeing Mr. B. said nothing further about arresting Smith.

"The evidence at the Coroner's inquest was that the bungo of the murdered man was tied upon the side of the river, and as the steamboat, commanded by Smith, was seen coming down the river, the man seized his gun and said if Smith ran him down again he would shoot him—that Smith had run him down and smashed his bungo once or twice before. The steamer passed the bungo and slewed around and ascended the river, and approaching the bank, hailed the natives to take the lines and make them fast, but the natives, seeing the passengers and crew armed with pistols, etc., let the lines go, and the steamer drifted down. The steamer came up again, when Smith took deliberate aim from the pilot-house, shot the owner of the bungo through the heart.

"While on board the steamship Northern Light, several of the passengers told me that Smith would not have shot the man if he had not been encouraged by Borland.

"After the inquest, late in the evening, I went down to the Commercial Agent's house, where Mr. Borland was, and where Smith was also supposed to be, and I found a considerable number of persons greatly excited around the house, and they demanded that Smith should be brought out; that Borland should give him up, and wished to search the house. Mr. Fabens replied that it was United States property, and they could not enter for any purpose, and Borland said he would shoot the first man who came in. The crowd did not then persist in entering.

"The Mayor, Mr. Sigand, then came up and said that the acts of the crowd were unauthorized by the authorities, and apologized to Mr. Borland. I then went on board my vessel, and about ten minutes afterward Mr. Fabens and three others came aboard and asked me if I had any arms and ammunition on board, that Mr. Borland had his head cut open, and that he, Fabens, was going on board the steamships to get the Californians to *burn* the town, and tried to induce my mate to go with him. I then, at the request of Mr. Fabens, took him and those who were with him in my own boat to the steamship, and upon reaching the deck, Fabens called on Captain Churchill of the steamer for assistance, and also addressed the passengers in saying that Mr. Borland had been seriously injured by a parcel of rebels and pirates, and niggers in the town, and appealed to them as Americans, if they would suffer their Minister to be insulted, and called for volunteers to go and burn the town. The passengers replied, that if Mr. B. or any other American was in danger, they would go and see them righted, but doubted that there was as much danger as Fabens represented, and appointed a committee of three to go and learn the facts.

"These persons, with Fabens and others, numbering eleven in all, were not permitted to land, the people having got wind of the

intention to burn the town, keeping guard along the beach. They however told Fabens that he might land, but not the others, as they feared danger for the town.

"All this was during the night, and Borland remained ashore at the Commercial Agency, and there *was no guard* around the house, and no restraint on Borland. The only guard was along the beach, to prevent parties landing, and burning the town as threatened by Fabens. The next morning Borland went on board the steamship at about six o'clock, and there were no marks on his head as represented by Fabens to the passengers.

"WILLIAM H. RODGERS, Master bark Martha Clark.
"NEW-YORK, August 2d, 1854."

J.

CORONER'S INQUEST ON THE BODY OF A. PALADINO.

Present: J. B. LYONS, E. F. MASON, WM. H. ROGERS, ——— LEVAILLE, OSCAR PETER, GEORGE HUGHES, Dr. SYFRET, Acting Marshal, and A. CAMIN, City Attorney.

JOSE CALISTO sworn: Knows the deceased is named Antonio Paladino; went this morning alongside deceased's boat to sell fish; whilst there, a steamboat came and caught Paladino's bungo with a rope; the steamer then shoved off; then she came down the river a little, and swept back with increased speed on the bungo and broke her, and Captain Smith of the boat took a gun and shot the deceased; knows personally Captain Smith; when Captain Smith shot deceased, he (the Captain) was on the main deck; does not know the name of the boat; deceased had a gun in the stern of the boat, but did not use it, the deceased being in the bow; when the steamer struck the bungo, deceased told Smith not to break his boat again; when deceased received the shot, he fell into Carreto's boat; when the man was shot, the bungo was tied on the back at the Touro; there was plenty of water for the steamer to pass alongside of the bungo, but Smith struck the bungo maliciously.

ERANISBO PIRIEN sworn: Is fifteen years old; is aware of the nature of an oath; one or two boats were tied up in the river, the men taking their dinner; saw the steamer coming, and the women on board the bungo cried out that she was bearing down upon them; as she was coming, Captain Smith pointed out deceased; steamer came across the river to a bank, the crew swung her head round; her stern swept by the bungo before doing so; to aid the operation, the people on board the steamer sent a rope to the bungo to make tight to a tree, which they did, but seeing the crew and passengers seize fire-arms, they let go the rope, thinking they were going to be killed; Captain Smith told the bungo-men, whilst the people were displaying their fire-arms, to wait "poco tempi;" the steamer then stood off, and bore directly down upon them; the crew and women then ran into the woods; before this, saw Captain Smith take a gun from a man

and load it; this induced deponent to run away; Captain Smith was steering, and when they ran down on the boat another man was there with him.

Nicholas Gonzales sworn: Knows Smith; saw him shoot deceased; the shot was fired from the upper deck; when the steamer was coming down the river, deceased was sitting in the chopa, and Smith pointed him out to the passengers.

Statement of Dr. Syfret: From the position of the wound, it is evident that the shot must have been fired from a higher elevation than that occupied by deceased at the time he was shot; the ball entered the breast about an inch to the left of the left nipple and a little above it, then passed obliquely inwards through the anterior and inferior portion of the lobe of left lung, passing into the heart.

The coroner's jury summoned to hold an inquest on the body of A. Paladino, after taking into consideration the testimony of the different witnesses, find that deceased came to his death from a shot fired from a weapon in the hands of Captain Smith, this sixteenth day of May, 1854.

(Signed)

J. B. Lyons,
E. F. Mason,
Wm. H. Rogers,
Oscar Peter,
Geo. R. Hughes,
——— Levaille.

Greytown. or San Juan del Norte,
16th May, 1854.

Dr. F. J. Diezmann, Coroner.

K.

Greytown, or San Juan del Norte,
16th of May, 1854.

Thomas Codd, Marshal, sworn: I went on board the steamer Routh, and arrested Captain Smith; he had in hand a loaded blunderbuss, but appeared willing to come when I arrested him. The American Minister, Mr. Borland, then came up, and as I held him by the hand, he knocked away my hand, and said I should not have him at risk of my life; that the American Government did not recognize this place, nor any authority in the place, and he as American Minister could call to his command every passenger on the steamer to shoot down every one of us. At this time others standing coolly around got their guns ready for action, to wit, Bengamen, Myers, McAdams, and others. At this time the bungo with the men under command of Rivas was just approaching the steamer, Mr. Rivas exhorting the men to pull briskly. As he stood up, the American Minister took a gun from somebody, cocked it, and leveled, and was about to fire, when I turned it aside with my hand. He then said: "If you respect your lives, do not allow the boat to come any nearer, or I will fire and kill every one. I shall have a man-of-war here in a

very short time to settle all this matter." Seeing the numbers around, and the tenor of the remarks made, I was obliged to come away and leave him, the prisoner.

I asked him to communicate with the American Consul and bring the man over. He said it was not my business, and to leave the ship directly or he would use me as he would any other. I then left and came away.

(Signed) THOMAS S. CODD, City Marshal.

Sworn before me, A. Sigaud, Mayor of the City of Greytown, or San Juan del Norte, this sixteenth of May, 1854.

(Signed) A. SIGAUD, Mayor.

Edward Patton, sworn in by the Mayor as Deputy Marshal, to execute a warrant on Captain Smith, charged with the murder of A. Paladino, being duly sworn, saith that he went and inquired for Captain Smith. Some said: "Below." Shortly appeared with his shirt off, as if washing himself. I shook hands with him, and laid hands on him, telling him he was my prisoner. Mr. B. Myers then said: "Patton, I am astonished you go into such a business as this." I was pushed back, the prisoner released, and I was warned to quit the boat immediately. The prisoner ran and got a sword, which he dropped, and then ran and got a blunderbuss, swearing he would shoot me. The pistol in my hand was wrenched out of it, and then I was hustled over the side. We then came away.

(Signed) EDWARD PATTON.

Sworn to before me, A. Sigaud, Mayor of the City of Greytown, or San Juan del Norte, this sixteenth day of May, 1854.

(Signed) A. SIGAUD, Mayor.

L.

OFFICE OF THE MAYOR,
GREYTOWN, OR SAN JUAN DEL NORTE, Nov. 11th, 1858.

BEFORE me personally came James B. Lyons, a resident of this city, and being duly sworn, doth depose and say, that he was present and standing upon the steps of the house of Mr. Fabens, the Commercial Agent of this city for the United States, and that he heard Mr. Solon Borland distinctly say to the Mayor, Mr. Sigaud, when told by the Mayor that the man Smith had committed a deliberate and willful murder, that he, Borland, would not allow said Smith to be arrested even if he had committed murder, and that the city authorities had no right to try said Smith; and further, that he heard the Mayor say to Mr. Borland that he had issued no order to arrest Mr. Borland; and that upon the bottle being thrown, he, the deponent, immediately offered fifty dollars to any one who would point out the person who threw the bottle. This conversation took place on the evening of the sixteenth day of May, A.D. 1854.

Sworn before me this eleventh day of November, 1858.

JULIUS WOLFF, Mayor.

[SEAL.] J. B. LYONS.

M.

OFFICE OF THE CITY ATTORNEY, GREYTOWN,
OR SAN JUAN DEL NORTE, May 17th, 1854.

James W. Fabens, Esq., U. S. Commercial Agent:

Sir: Information has been filed at my office that a mob, under pretense of law, violated, last evening, your domicil, and insulted the person of the Hon. S. Borland, United States Minister to Central America. The authorities of this City, as far as they are concerned, are determined to punish the offenders with the utmost rigor of the law.

Therefore, I shall be thankful to you for any information you can furnish me respecting the parties implicated in this outrage, in order to facilitate the steps I have taken to bring them to a speedy trial.

I have the honor to be, sir, with the greatest consideration, etc.,

(Signed) J. W. CARLE, City Attorney.

N.

PROCLAMATION.

To all men to whom these presents shall come, or to whom they may concern, greeting:

KNOW ye, that whereas certain gross outrages have at sundry times been perpetrated by the "authorities" (so called) and people of San Juan del Norte upon the persons and property of American citizens at that place and vicinity; and whereas a serious insult and indignity has been offered to the United States in the conduct of the said authorities and people towards Mr. Borland, United States Minister to Central America, for which outrage and insult no indemnity has been given, and no satisfactory reply returned to demands already made:

Now, therefore, I, George N. Hollins, commander of the United States sloop-of-war Cyane, by virtue of my instructions from the United States Government at Washington, do hereby solemnly proclaim and declare that if the demands for satisfaction in the matters above named, specified in the letter of Mr. Fabens, United States Commercial Agent, dated 11th instant, are not forthwith complied with, I shall, at nine o'clock A.M., of to-morrow, 13th instant, proceed to bombard the town of San Juan del Norte, aforesaid, to the end that the rights of our country and citizens may be vindicated, and as a guarantee for future protection.

GEORGE N. HOLLINS, Commander.

UNITED STATES SHIP CYANE,
Harbor of San Juan del Norte, Nicaragua,
9 A.M., July 12th, 1854.

O.

COMPANY'S APPLICATION TO MOSQUITO FOR PERMISSION TO OCCUPY LAND.

British Consulate, Greytown, 12th July, 1851.

Sir: In the absence of H. B. M. Acting Agent and Consul General, I have to acknowledge the receipt of your letter of this day's date, desiring the use of a certain piece of land on the opposite side of the harbor for the purposes of a coal-yard for the C. A. A. and P. Ship Canal Company. I have therefore to inform you, that until the land in question may be required for the purposes of the Mosquito Government, I can see no objection to your request, and the Pacific Canal Company may therefore make use of the lot you have marked out as necessary—two hundred feet from east to west, and four hundred feet from north to south—for the purposes of said Company, paying rent therefor at the rate of six-pence sterling per month and the above-named terms. I have further to add, that it is the wish of this Government at all times to forward the interests of the said Company. I have the honor, etc.

(Signed) Hy. Grant Foote,
For H. B. M. Acting Agent and Consul-General.

T. J. Martin, Esq., Greytown.

N. Y. and California S. S. Line, via Nicaragua,
No. 5 Bowling Green, New-York, July 16th, 1854.

Dear Sir: Captain Hollins leaves here next Monday. You will see from his instructions that much discretion is given to you, and it is to be hoped that it will not be so exercised as to show any mercy to the town or people. If the scoundrels are soundly punished, we can take possession and build it up as a business place, put in our own officers, and transfer the jurisdiction, and you know the rest. It is of the last importance that the people of the town should be taught to fear us. Punishment will teach them, after which you must agree with them as to the organization of a new government, and the officers of it. Every thing now depends on you and Hollins. The latter is all right. He fully understands the outrage, and will not hesitate in enforcing reparation. I hope to hear from you that all is right.

Yours, etc., J. L. White.

Fabens' Defense before the U. S. Commissioner, in the City of New-York, A.D. 1857.

Greytown being destroyed, (alas! that in my ignorance of the motives of the principals in the affair, I ever permitted myself to be convinced that it was a righteous act,) and the way thus opened, as Mr. White expresses it, for a new government, the Mosquito land speculators set about preparing for the occupation of a territory whose chief town they had made a heap of blackened ashes.

GREYTOWN, OR SAN JUAN DEL NORTE, 1st July, 1854.

The undersigned, T. J. Martin, would represent that on the first day of May last past, he retired from the office of Mayor of Greytown, or San Juan del Norte, and that since that time he has held no office, but has been simply a resident of said city. That on the day when Antonio Paladino was killed, he was on board the English steamer "Teviot," by the invitation of Captain Sawyer, her commander; that the undersigned remained on board said vessel until eight o'clock in the evening of that day with Captain Sawyer, Mr. James Geddes, Mr. Lay, Mr. Bowers, Mr. F. Salter, and Mr. Pitcher; that on his arrival in the city, he went with the above-named gentlemen to the City Police Station, and there heard the result of the coroner's inquest and the affidavits of Mr. Codd and Patton; that upon being asked his legal opinion as to the resistance of Mr. Borland, he advised the Mayor to issue his warrant for the arrest of said Borland, but the Mayor refused to issue the same, and the undersigned immediately left the station-house and proceeded to the lower part of the city to the Masonic Hall, and remained in that place until after ten o'clock, when Mr. Lyons came there and informed him of the occurrences that had taken place at the American Consulate by certain persons attempting to arrest Mr. Borland, and of the throwing a bottle at said Borland; that until then the undersigned had no knowledge of the said affair; was not present; neither advising or assisting; the undersigned was also informed that it was reported that the passengers were about to attack the city, and that all the citizens were required to place themselves upon the defense and under the order of the Mayor, Mr. Sigaud; that the undersigned immediately placed himself under the orders of the Mayor and authorities, and took command of the city forces, and proceeded to put the city under guard, and remained under guard until six o'clock the next day, when, there being no further occasion for the city forces, they were dismissed; and that the undersigned had acted no further in the matter, and that the above statement contains all and every thing which the undersigned said, acted, or did upon the occasion above set forth.

T. J. MARTIN.

We, the undersigned, have read the statement of Mr. Martin, and of our own knowledge know that the said statement is perfectly true and correct, as we and each of us were present, and with Mr. Martin as he has severally above set forth, whilst he was on board the steamship "Teviot," the police station, and the Masonic Hall.

JAMES GEDDES, Acting V. Consul H. B. M.
THOS. W. SAWYER, Commander R. M. S. P. Teviot.
FREDERICK LAY, Chief Officer R. M. S. P. Teviot.
JAMES PITCHER, Purser R. M. S. P. Teviot.
JOHN BOWERS, Chief Engineer R. M. S. P. Teviot.

Greytown, or San Juan del Norte, 3 *July*, 1854.

U. S. Commercial Agency,
San Juan del Norte, 20th Jan. 1854.

Dear Sir: Information has reached me that one of the deserting seamen of the "Bonita" is now at Port Arenas. I do, therefore, hereby request of you to order his arrest, and cause him to be placed in custody. Yours, etc.,

(Signed) Joseph W. Fabens.

T. J. Martin, Esq.,
Mayor, San Juan del Norte.

U. S. Commercial Agency,
San Juan, April 19th, 1854.

Sir: A complaint has been made to me by Captain Church of brig "Uranus," that Daniel Mace, seaman on board said brig, refused to return to duty. Please cause said Mace to be arrested and delivered to Captain Church, and oblige yours, etc.,

(Signed) Joseph W. Fabens.

T. J. Martin, Esq.,
Mayor San Juan.

Office of the City Clerk,
Greytown, or San Juan del Norte, 12th Nov. 1858.

I, Francis Salter, City Clerk of the City of Greytown, or San Juan del Norte, do hereby certify that the foregoing dispatch, addressed to Captain Jolly, of H. B. M. schooner Bermuda, is the original duplicate made by me, and that all the signatures thereto are genuine. And I further certify that the copies of the various letters and documents thereto attached are true and correct copies of the originals, all of which are in my possession as City Clerk aforesaid.

Frs. Salter, City Clerk.

[seal.]

Commercial Agency, U. S. A.,
San Juan del Norte.

I, the undersigned, Commercial Agent of the United States of America for the port of San Juan del Norte and the dependencies thereof, do hereby certify that Francis Salter, to me personally known, the City Clerk of this place, this day came before me and acknowledged the foregoing signature to be his own hand and act.

In witness whereof I have hereunto set my hand and seal of office this twelfth day of November, A.D. 1858.

(Signed) B. Squire Cornell,

[seal.] U. S. Commercial Agent.

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